

FILED
GREAT FALLS DA.

2008 APR 14 PM 12 10

PATRICK E. DUFFY, CLERK

IN THE UNITED STATES DISTRICT COURT

DEPUTY CLERK

FOR THE DISTRICT OF MONTANA

GREAT FALLS DIVISION

JESSE TYLER DAVIS,

Plaintiff,

vs.

No. CV 06-116-GF-SEH

ORDER

JIM MCDONALD, Warden, C.C.C.,
MR. LAW, Associate Warden, C.C.C.,
MR. VARNUM, Chief of Security, C.C.C.,
and
DR. ARNOLD, Medical Doctor, C.C.C.

Defendants.

On January 18, 2008, United States Magistrate Judge Keith Strong entered his Findings and Recommendation¹ in this matter. Plaintiff did not file objections. No review is required of proposed findings and recommendations to which no objection is made. Thomas v. Arn, 474 U.S. 140, 149-152 (1986). However, this Court will review Judge Strong's Findings and Recommendation for clear error.

Upon *de novo* review of the record, I find no clear error in Judge Strong's Findings and Recommendation and adopt them in full.

¹ Document No. 9

ORDERED:

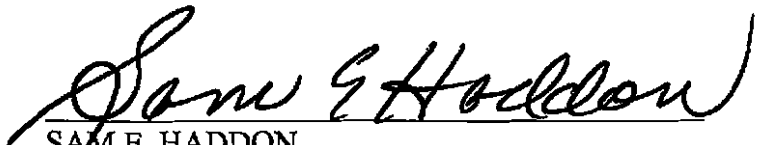
1. Plaintiff's Complaint is DISMISSED without prejudice for failure to state a claim upon which relief may be granted, and for failure to comply with this Court's prior Orders.

Fed. R. Civ. P. 41(b).

2. Any appeal from this disposition will not be taken in good faith as Plaintiff's Complaint fails to assert a cognizable claim for relief, and dismissal of this action is otherwise appropriate under Rule 41(b) because Plaintiff failed to comply with two separate Orders of the Court.

3. The Clerk of Court is directed to enter judgment accordingly.

DATED this 14th day of April, 2008.


SAM E. HADDON
United States District Judge